BEFORE THE LOK ADALATH
ORGANIZED BY THE KERALA HIGH COURT LEGAL SERVICES COMMITTEE

PRESENT :

THE HONOURABLE MR. JUSTICE M.R.HARIHARAN NAIR
(RETD.JUDGE, HIGH COURT OF KERALA)
&
THE HONOURABLE MR. JUSTICE R.BHASKARAN
(RETD.JUDGE, HIGH COURT OF KERALA)

FRIDAY, THE 20TH JULY 2007 / 29TH ASHADHA 1929

RFA.No. 296 of 2007(F)

AGAINST THE ORDER DATED 16/12/2006 IN IA.3184/1994 IN OS.471/1992 of PRINCIPAL SUB COURT, PALAKKAD
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APPELLANT/RESPONDENT/DEFENDANT

P.R.SREEDHARAN @ MOHANAN,
S/O. PARVATHY AMMA, CHITTEDATH HOUSE,
KRISHNAPURAM, NENMARA VILLAGE, CHITTUR TALUK,
PALAKKAD DISTRICT, NOW RESIDING AT 10/445,
ROOHA MADHAVAN, KIZHAKKUMPADOM, KINASSERY,
PALAKKAD DISTRICT.

BY ADV. SRI.MILLU DANDAPANI

RESPONDENT/PETITIONER/PLAINTIFF

R.R.CHANDRA CHOODAN, S/O. PARVATHY
AMMA, HOUSE NO.12/36, CHITTEDATH HOUSE,
CHETTITHERUVU, KOOPAM AMSOM, PALAKKAD TALUK
AND DISTRICT.

BY ADV. SMT.PRABHA R.MENON
SRI.M.KRISHNAKUMAR

THIS REGULAR FIRST APPEAL HAVING COME UP FOR DETERMINATION AT THE LOK ADALATH AND THE PARTIES HAVING SETTLED THE MATTER, THE FOLLOWING AWARD IS PASSED IN TERMS OF THE SETTLEMENT:

ORDER ON I.A. NO.2114 OF 2007 IN R.F.A. NO.296 OF 2007

CLOSED.

SD/-
M.R.HARIHARAN NAIR
(RETD. JUDGE)

SD/-
R.BHASKARAN
(RETD. JUDGE)

20.7.2007.

/TRUE COPY/

P.A. TO JUDGE

JP

JUSTICE M.R.HARIHARAN NAIR (RETD. JUDGE, HIGH COURT OF KERALA)
&
JUSTICE R.BHASKARAN (RETD. JUDGE, HIGH COURT OF KERALA)

R.F.A. No.296 of 2007

Dated this the 20th day of July, 2007

AWARD

The parties have settled their difference in the Adalath and agreed for passing a final decree on the following terms:

1. In Ext.C2 Plan appended to the final decree already passed in this case as modified now, Plots 1 and 3 will be allotted to the respondent and Plots 2 and 4 which are marked in red and blue colour will be allotted to the appellant.

2. The respondent has received from the appellant a sum of Rs.60,000/- in consideration for allotment of Plot No.4 to the appellant.

3. The respondent has also received today from appellant a sum of Rs.74,700/- towards owelty.

4. The compound wall at the western side of Plot 2 (48.3 M) and at north end of Plot 4 (11.45 M) will be constructed by the appellant and half

the cost thereof will be paid to him by the respondent within a month of making the claim after completing the construction. Existing wall at the southern end of Plot 3 will be demolished as part of the aforesaid construction.

5. This Award finally settles all the claims between the parties except with regard to reimbursement of half cost of construction of the compound wall.

6. The award passed by the adalath accepting this compromise will be sent over to the Subordinate Judges Court for engrossing the final decree.

7. The stamp value and other expenses if any for engrossing the final decree shall be borne proportionately by the parties hereto.

8. Ext.C2 Plan, as corrected and presented today, and the compromise filed by the parties will form part of the final decree.

R.F.A. is disposed of as above.

M.R.HARIHARAN NAIR
(RETD. JUDGE, HIGH COURT OF KERALA)

R.BHASKARAN
(RETD. JUDGE, HIGH COURT OF KERALA)

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